



Image RCE/1700

PTO/SB/30 (08-03)

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

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| | |
|------------------------|-------------------------------|
| Application Number | 10/043,791 |
| Filing Date | Jan. 11, 2002 |
| First Named Inventor | Richard J. Assarabowsk, et al |
| Art Unit | 1745 |
| Examiner Name | Dah-Wei D. Yuan |
| Attorney Docket Number | C-2536 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114**

Note: If the RCE is proper, any previously filed unentered amendments

and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s) iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1307
- i. ☒ RCE fee required under 37 CFR 1.17(e) 12/24/2003 SZEWDIE1 00000007 501307 10043791
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 770.00 DA
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|---------------------|-------------------------|-------------------------------------|---------------|
| Name (Print / Type) | Stephen A. Schneeberger | Registration No. (Attorney / Agent) | 25,434 |
| Signature | | Date | Dec. 19, 2003 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

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| Name (Print / Type) | Stephen A. Schneeberger | Date | Dec. 19, 2003 |
| Signature | | Date | Dec. 19, 2003 |

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Richard J. Assarabowski, et al

Docket No: C-2536

Serial No: 10/043,791

Examiner: Dah-Wei D. Yuan

Filed: Jan. 11, 2002

Group Art Unit: 1745

Title: Method and Apparatus for Preventing Water in Fuel Cell Power Plants
from Freezing During Storage

Assistant Commissioner for Patents
Alexandria, VA 22313-1450

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Initial Amendment in RCE

This is in response to the Final Rejection issued in the Office Action of Oct. 16, 2003. Applicants respectfully request entry of the following amendments and favorable consideration/reconsideration of the following remarks/arguments:

Please amend the claims in accordance with the **"Amendments to the Claims"** that begin on page 2 of this paper.

Please consider the **"Remarks/Arguments"** that begin on page 8 of this paper.